

Message Text

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ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 SS-15 SCCT-01 CIAE-00 DODE-00

PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02

USIA-06 IO-11 ACDA-05 SAJ-01 /077 R

DRAFTED BY EUR/CE:GACHESTER:KP

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EUR/SOV:DHERSPRING

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P 241630Z FEB 76

FM SECSTATE WASHDC

TO AMEMBASSY BONN PRIORITY

INFO USMISSION USBERLIN PRIORITY

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW BRUSSELS

AMEMBASSY BERLIN

C O N F I D E N T I A L STATE 044118

E.O. 11652: GDS

TAGS:PGOV, PFOR, WB, GW

SUBJECT: POSSIBLE FEDERAL PROSECUTION OF LORENZ KIDNAPPERS

REF: A.) BONN 2893 B.) BONN 2056 C.) USBERLIN 252

D.) USBERLIN 262 E.) USBERLIN 307

1. AS REQUESTED REF A, US REP IS AUTHORIZED TO AGREE TO
FEDERAL PROSECUTION OF LORENZ KIDNAPPERS IN BERLIN SHOULD
THE FRG SO REQUEST. WE AGREE US APPROVAL SHOULD NOT BE
COMMUNICATED TO THE FRG UNTIL THE GERMANS HAVE PRESENTED
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THEIR POLITICAL AND LEGAL ARGUMENTS IN THE BONN GROUP.

2. WHILE WE BELIEVE IT WOULD BE INAPPROPRIATE FOR THE ALLIES TO MAKE SUCH APPROVAL CONTINGENT ON FEDERAL PROSECUTOR BUBECK NOT TRYING CASE PERSONALLY, WE SEE NO REASON WHY THE ADVANTAGES OF HAVING THE CASE TRIED BY A LAWYER FROM THE FEDERAL PROSECUTOR'S OFFICE IN BERLIN COULD NOT BE POINTED OUT TO THE FRG, ALONG WITH OTHER FACTORS ARGUING IN FAVOR OF LOW-KEY TREATMENT.

3. RE REF B, SINCE ALLIED REPS ARE IN AGREEMENT THAT A FORMAL REPLY SHOULD BE MADE TO THE SOVIET PROTEST BEFORE ANNOUNCEMENT OF THE EVENTUAL DECISION FOR OR AGAINST FEDERAL PROSECUTION, US REP MAY PRESS FOR AN EARLY TEXT TO ENABLE TIMELY APPROVAL AND DELIVERY TO SOVIETS. INGERSOLL

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To: BONN
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